

06/SEP/2004

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 4473P	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507155	
INTERNATIONAL APPLICATION NO. PCT/US03/07077		INTERNATIONAL FILING DATE 07 March 2003		PRIORITY DATE CLAIMED 07 March 2002	
TITLE OF INVENTION Message Delivery and Acquisition System					
APPLICANT(S) FOR DO/EO/US Hays, Jeffrey, C.					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (<i>unsigned</i>) 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information:					

Ex Mailing Label: EP980878 338 US

U.S. APPLICATION NO. 10/507155

INTERNATIONAL APPLICATION NO.
PCT/US03/07077ATTORNEY'S DOCKET NUMBER
4473 P21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. \$1080.00International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$920.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 1,000⁰⁰Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months
from the earliest claimed priority date (37 CFR 1.492(e)).\$ 130⁰⁰

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	4 - 20 =	0	x \$18.00	\$
Independent claims	1 - 3 =	0	x \$86.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable) 0			+ \$290.00	\$

TOTAL OF ABOVE CALCULATIONS =

\$ 1130⁰⁰☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.\$ 565⁰⁰

SUBTOTAL =

\$ 565⁰⁰Processing fee of \$130.00 for furnishing the English translation later than 30 months
from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 565⁰⁰Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$ 565⁰⁰Amount to be
refunded: \$
charged: \$

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 50-0581. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE

NAME

REGISTRATION NUMBER

SEP 13 2004

HONVAA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Jeffrey C. Hays
ASSIGNEE: ZINGBACK, INC.
SERIAL NUMBER: n/a
DATE FILED: n/a
INT'L PUB. NO.: WO 03/077515 A1
INT'L PUB. DATE: 18 September 2003
PCT INT'L APP. NO.: PCT/US03/07077
INT'L FILING DATE: 7 March 2003
PRIORITY DATE: 7 March 2002
TITLE: MESSAGE DELIVERY AND ACQUISITION SYSTEM
ATTORNEY DOCKET: 4473 P

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


COVER LETTER

Honorable Commissioner:

Enclosed herewith please find the following documents comprising a United States patent application: (1) specification, claims and drawings, (2) declaration of inventor(s), (3) transmittal letter and fee calculation sheet, (4) fee, (5) statements of small entity status, (6) information disclosure statement and form(s) 1449, and (7) return receipt postcard.

Because the applicant is presently unavailable, the declaration of inventor is being submitted unsigned. The applicant intends to file the required declaration within the permitted period following receipt of a Notice of Missing Parts. Thank you.

Respectfully submitted this 6th day of September, 2004.


Lloyd W. Sadler, Reg. No. 40,154
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111

Ex Mailing Label: ER98087833805

10/507 155

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

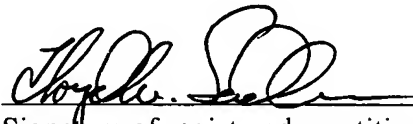
INVENTORS: Jeffrey C. Hays
ASSIGNEE: ZINGBACK, INC.
SERIAL NUMBER: n/a
DATE FILED: n/a
INT'L PUB. NO.: WO 03/077515 A1
INT'L PUB. DATE: 18 September 2003
PCT INT'L APP. NO.: PCT/US03/07077
INT'L FILING DATE: 7 March 2003
PRIORITY DATE: 7 March 2002
TITLE: MESSAGE DELIVERY AND ACQUISITION SYSTEM
ATTORNEY DOCKET: 4473 P

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Honorable Commissioner:

I hereby certify that the attached paper of fee (Patent Application) is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," Express Mail Mailing Label Number ER980878338US, (under 37 C.F.R. § 1.10) on this 6th day of September, 2004 with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of registered practitioner or other person having a reasonable basis to expect mailing to occur on the date of deposit shown pursuant to 37 C.F.R. § 1.8(a) or person actually making deposit pursuant to 37 C.F.R. § 1.10(b).

Lloyd W. Sadler, Reg. No. 40,154

Name of person whose signature is given above